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BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 90-125-S - ORDER NO. 90-801
AUGUST 23, 1990

IN RE: Application of Valhalla Company for approval of an extension of its existing sewer service area to include certain portions of Richland County. Valhalla requests the rates and charges currently in effect for its presently approved service area be approved for sewer service within its proposed extension.

) ORDER GRANTING
) WITHDRAWAL OF
) PARTICIPATION,
) DISMISSAL OF
) PETITION TO
) INTERVENE,
) WAIVER OF
) HEARING, AND
) APPROVAL OF THE
) EXTENSION OF
) SERVICE AREA

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of an Application filed February 23, 1990, on behalf of the Valhalla Company (the Company) seeking approval of an extension of its sewer service area to include the property encompassed in the northeastern portion of Richland County, and the southeastern portion of Kershaw County, South Carolina, more fully shown on plat filed with the Commission. The Company requested that the rates and charges currently in effect for its presently approved service area be approved for sewer service within its proposed extension. The Application was filed pursuant to S. C. Code Ann., Section 58-5-240 (Cum. Sup. 1976), and R.103-821 of the Commission's Rules of Practice and Procedure.

This matter was duly noticed to the public and Petitions to Intervene were filed on behalf of Steven W. Hamm, the Consumer Advocate for the State of South Carolina (the Consumer Advocate), and Wildewood Utilities, Incorporated (Wildewood). A public hearing was scheduled to commence at 10:15 a.m., on Thursday, July 12, 1990, before the Commission in the Commission's Hearing Room at 111 Doctor's Circle, Columbia, South Carolina.

The initial Application was modified by a Stipulation and Agreement entered into between the Company and Wildewood and filed with the Commission on August 8, 1990. By this Stipulation, Valhalla agreed that the area sought to be included in its existing service area be as depicted on Exhibit A of the Stipulation and Agreement and consist of all parcels identified on Richland County T.M.S. No. 25709 as well as T.M.S. Parcels 25700-2-4 and 25700-2-10. As a part of the said Stipulation and Agreement, and in consideration of this modification, Wildewood agreed to withdraw all objections to the Company's request for extension of its service area.

A separate Stipulation and Agreement was also entered into between the Consumer Advocate, the Company and the Commission Staff, and filed with the Commission on August 8, 1990. Under its terms, the Consumer Advocate stipulated that he wished to preserve his right to continue to contest the approval of the Company's plant impact fee which is the subject of Commission Order Nos. 90-17 and 90-203 pending in Circuit Court Docket No. 90-CP-40-1726. He then agreed not to challenge or otherwise contest any testimony concerning the justness and reasonableness of the Company's plant

impact fee in the instant proceedings, based upon the agreement by the Company that the purpose of the testimony in the instant proceeding was to extend its current schedule of rates and charges to the extension area, not to seek changes to its plant impact fee for customers in the proposed extension area. The parties further agreed that the fact that the Consumer Advocate did not challenge testimony in this proceeding would not constitute a waiver or compromise of his right to seek the recovery of monetary benefits for ratepayers related to the plant impact fee through the period of time and for the service area at issue in the instant docket, should the Consumer Advocate prevail in his action for review of the aforementioned Commission Orders.

Based upon the Commission's review of the Application and the documents filed in this matter, the modifications made by stipulations between the parties, the withdrawal of intervention by Wildewood and of participation by the Consumer Advocate, and the absence of other intervention in this matter, the Commission has determined that the hearing presently scheduled in this matter should be cancelled and the Petition to Intervene filed by Wildewood should be dismissed. The Commission further finds that the relief requested herein by the Company should be granted, that sewer service to be made available to customers in the proposed extension areas should not impair the ability of the company to continue to provide service in its existing service area in a manner consistent with the Rules and Regulations of this Commission and applicable laws of this State, that the proposed extension does not interfere with any other jurisdictional utility, and that the

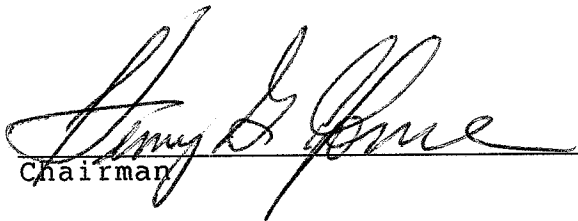
rates and charges previously approved for the Company are just and reasonable and, as such, should be approved for the extended service area.

IT IS THEREFORE ORDERED :

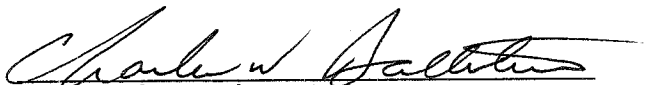
1. That the Application of the Valhalla Company to extend its existing sewer service area, as modified and reflected in the Stipulation and Agreement between the parties, is hereby approved.
2. That the hearing scheduled in this matter is hereby cancelled.
3. That the schedule of rates and charges currently in effect for its presently approved service area is hereby approved for sewer service within its proposed extension rendered on or after the date of this Order.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:


VICE Chairman

ATTEST:


Executive Director

(SEAL)